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Attorneys for the United States of America

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

UNITED STATES OF AMERICA ex rel.  
STF, LLC, an organization; STATE OF  
CALIFORNIA ex rel. STF, LLC, an  
organization,  
  
Plaintiffs,  
  
v.  
  
VIBRANT AMERICA, LLC, a Delaware  
Limited Liability Company,  
  
Defendant.

) CASE NO. C 16-2487 JCS  
)  
) **STIPULATION TO UNSEAL**  
) **UNITED STATES' NOTICE OF**  
) **ELECTION TO DECLINE**  
) **INTERVENTION; [PROPOSED]**  
) **ORDER**  
)  
)  
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## STIPULATION

WHEREAS, on February 14, 2020, the United States filed a Notice of Election to Decline Intervention (Doc. No. 30);

WHEREAS, on March 6, 2020, the State of California filed a Notice of Election to Decline Intervention (Doc. No. 33);

WHEREAS, the California Department of Insurance has not, as of yet, filed for Intervention pursuant to the California Insurance Frauds Prevention Act, Ins. Code Sec. 1871.7;

WHEREAS, on March 10, 2020, the Court entered an Order Re: State of California’s Notice of Election to Decline Intervention (the “Order”) (Doc. No. 34);

WHEREAS, as requested by the State of California, the Order kept all then-current contents of the Court's file under seal except for the Complaint; the summons, if any; the Case Management Order; and the Order; and lifted the seal as to all other matters occurring in this action after the date of the Order;

WHEREAS, the United States' Notice of Election to Decline Intervention (Doc. No. 30) was not unsealed by the Order and remains under seal;

WHEREAS, the United States, the State of California, the California Department of Insurance, Relator STF, LLC, and Defendant Vibrant America, LLC, agree with unsealing the United States' Notice of Election to Decline Intervention (Doc. No. 30);

THEREFORE, the United States, the State of California, the California Department of Insurance, Relator STF, LLC, and Defendant Vibrant America, LLC, hereby stipulate, subject to the approval of the Court, that the United States' Notice of Election to Decline Intervention (Doc. No. 30) should be unsealed.

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1 Respectfully submitted,

2 DATED: 5/5/2020

DAVID L. ANDERSON  
United States Attorney

4 /s/ Neill T. Tseng

5 NEILL T. TSENG  
6 Assistant United States Attorney  
7 Attorneys for the United States of America

8 DATED: 5/5/2020

XAVIER BECERRA  
9 Attorney General for the State of California

10 /s/ Jennifer Gregory

11 JENNIFER GREGORY  
12 Deputy Attorney General  
13 California Department of Justice  
14 2329 Gateway Oaks Drive, Suite 200  
Sacramento, California 95833

15 DATED: 5/5/2020

16 /s/ Geoffrey F. Margolis

17 KENNETH SCHNOLL  
18 General Counsel  
19 J. SCOTT McNAMARA  
Assistant Chief Counsel  
GEOFFREY F. MARGOLIS  
20 Senior Litigation Counsel  
California Department of Insurance  
21 Fraud Liaison Bureau  
22 300 Capitol Mall, 11th Floor  
Sacramento, California 95814  
23 Telephone: 916-492-3574  
e-mail: Geoff.Margolis@insurance.ca.gov

24  
25 *Attorneys for the State of California*

1 DATED: 5/5/2020

COTCHETT, PITRE & McCARTHY LLP

2 /s/ Joseph M. Alioto Jr.

3 JOSEPH M. ALIOTO JR.

4 Attorneys for Relator STF, LLC

5 DATED: 5/5/2020

6 FOLEY & LARDNER LLP

7 /s/ Thomas S. Brown

8 THOMAS S. BROWN

9 Attorneys for Defendant Vibrant America, LLC

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11 **ATTESTATION**

12 Pursuant to Civil L.R. 5-1(i)(3), I, Neill T. Tseng, attest that I have obtained concurrence in  
13 the filing of this document from each of the other signatories.

14 DATED: 5/5/2020

15 /s/ Neill T. Tseng

16 NEILL T. TSENG

1                   **[PROPOSED] ORDER**  
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PURSUANT TO STIPULATION, IT IS HEREBY ORDERED THAT the United States'  
Notice of Election to Decline Intervention (Doc. No. 30) be unsealed.  
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Dated: May 7, 2020



HONORABLE JOSEPH C. SPERO  
United States Chief Magistrate Judge  
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